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Attorneys for Plaintiff
SPACE DATA CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SPACE DATA CORPORATION,

Plaintiff,

v.

ALPHABET INC. and GOOGLE LLC,

Defendants.

Case No. 5:16-cv-03260-BLF

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO FILE FOURTH AMENDED
COMPLAINT ADDING LOON LLC AS
DEFENDANT**

Judge: Hon. Beth Labson Freeman

Date Filed: June 13, 2016

Trial Date: August 5, 2019

1 Plaintiff Space Data Corporation (“Plaintiff”) and defendants Alphabet Inc. and Google
2 LLC (“Defendants”) hereby stipulate through their respective counsel of record as follows:

3 **WHEREAS**, Plaintiff filed its complaint regarding Defendants’ Project Loon on June 13,
4 2016.

5 **WHEREAS**, Plaintiff filed its operative Third Amended Complaint on July 20, 2017.

6 **WHEREAS**, as of July 1, 2018, Defendants’ Project Loon, at issue in this litigation, is a
7 separate subsidiary of Alphabet Inc. named “Loon LLC.”

8 **WHEREAS**, Plaintiff desires to add Loon LLC as a named defendant to this litigation.

9 **WHEREAS**, the parties have conferred and agree that Plaintiff may add Loon LLC as a
10 named defendant by filing a Fourth Amended Complaint.

11 **NOW, THEREFORE, IT IS HEREBY STIPULATED**, by and between the parties
12 hereto, and subject to the Court’s approval, that: (1) Within seven days of the Court’s entry of an
13 order granting this stipulation, Plaintiff may file a Fourth Amended Complaint adding Loon LLC
14 as a named defendant to this litigation, but otherwise making no material changes to Plaintiff’s
15 allegations or claims in this action; (2) Defendants may amend their answer and counterclaims
16 within fourteen days after service of the Fourth Amended Complaint to address the addition of
17 Loon LLC as a named defendant, but otherwise making no material changes; and (3) Defendants
18 waive the need for service of summons and agree that their counsel will accept service of the
19 Fourth Amended Complaint on behalf of Loon LLC, such service effective as of the date of filing
20 of the Fourth Amended Complaint.

21 **IT IS SO STIPULATED.**

22 Dated: August 16, 2018

KEKER, VAN NEST & PETERS LLP

24 By /s/ Matthew M. Werdegarr

MATTHEW M. WERDEGAR

26 Attorneys for Defendants

ALPHABET INC. AND GOOGLE LLC

1 Dated: August 16, 2018

HOSIE RICE LLP

2
3 By /s/ Spencer Hosie

4 SPENCER HOSIE

5 Attorneys for Plaintiff

SPACE DATA CORPORATION

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7 **ATTESTATION**

8 Pursuant to Civil Local Rule 5-1(i)(3), I attest that all other signatories listed, and on
9 whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

10 Dated: August 16, 2018

/s/ Matthew M. Werdegarr

11 Matthew M. Werdegarr

12 **ORDER**

13 Pursuant to the foregoing stipulation of the parties and good cause appearing,

14 IT IS SO ORDERED.

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16 DATED: August 17, 2018

Beth Labson Freeman

17 Honorable Beth Labson Freeman
18 United States District Judge
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